

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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ROSE CARACCIOLO,

Plaintiff,

07 CIVIL 3487 (KNF)

-against-

JUDGMENT

UNITED STATES MERIT SYSTEMS
PROTECTION BOARD,

Defendant.
-----X

SCANNED

Defendant having moved to dismiss pursuant to Fed. R. Civ. P. 12(b)(1), or, in the alternative, for summary judgment pursuant to Fed. R. Civ. P. 56, and the matter having come before the Honorable Kevin N. Fox, United States Magistrate Judge, and the Court, on July 3, 2008, having rendered its Memorandum and Order granting defendant's motion pursuant to Fed. R. Civ. P. 12(b)(1) and dismissing the complaint, it is,

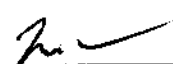
ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the Court's Memorandum and Order dated July 3, 2008, defendant's motion is granted pursuant to Fed. R. Civ. P. 12(b)(1) and the complaint is dismissed; accordingly, the case is closed.

Dated: New York, New York
July 7, 2008

J. MICHAEL McMAHON

Clerk of Court

BY:



Deputy Clerk

**THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON _____**